

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>CHASE BANK USA, N.A.,</b>	:	
	:	
Plaintiff,	:	
	:	
<b>v.</b>	:	<b>Civil Action 2:06-CV-12</b>
	:	
<b>CHAD WICKLINE, et al.</b>	:	Judge Edmund A. Sargus, Jr.
	:	
Defendants.	:	Magistrate Judge Norah McCann King

**ORDER**

This matter came before the Court on the Motion of Plaintiff Chase Bank USA, N.A. (“Chase Bank”) to Voluntarily Dismiss Count Two and Count Three Against Defendant Mark Browning (“Mr. Browning”) without prejudice filed September 21, 2009 (Doc. # 83), and the accompanying Memorandum in Support (Doc. # 84) of the Motion. No response to the Motion has been filed.

After a review of Chase Bank’s Motion to Voluntarily Dismiss Count Two and Count Three Against Mr. Browning without prejudice, a review of Chase Bank’s Memorandum in Support of the Motion, the lack of any response by Mr. Browning, and for good cause shown, the Court concludes that Chase Bank has sufficiently shown its entitlement to a voluntarily dismissal of Count Two and Count Three against Mr. Browning without prejudice and that its Motion is well taken. Accordingly, it is hereby **ORDERED**:

Pursuant to Federal Rule of Civil Procedure 41(a)(2), the Motion of Plaintiff Chase Bank USA, N.A. to Voluntarily Dismiss Count Two and Count Three Against Defendant Mark Browning without prejudice is hereby **GRANTED**. Nothing in this Order affects the Order

previously filed on August 7, 2009 (Doc. # 82) granting summary judgment in favor of Chase Bank against Mr. Browning on Count One of the Complaint and, given the voluntary dismissal of Count Two and Count Three of the Complaint, the Clerk is **DIRECTED** to enter

**JUDGMENT** against Defendant Mark Browning as follows:

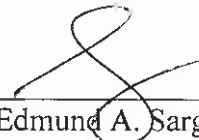
(1) Defendant Mark Browning is liable to Plaintiff Chase Bank USA, N.A. on Count One of the Complaint for \$817,355 in damages, and for “threefold the damages” sustained pursuant to 18 U.S.C. § 1964(c). Accordingly, on Count One of the Complaint, Defendant Mark Browning is liable to Plaintiff Chase Bank USA, N.A. for **\$2,452,065** in damages (*i.e.*, \$817,355 x 3 = \$2,452,065).

(2) Defendant Mark Browning is liable for all **COSTS** in this case.

**IT IS SO ORDERED.**

10-28-2009

Date



Edmund A. Sargus, Jr.  
United States District Judge